

Message

From: MacDonald, Alex@Waterboards [Alex.MacDonald@waterboards.ca.gov]
Sent: 4/27/2018 6:50:29 PM
To: Keller, Lynn [Keller.Lynn@epa.gov]
CC: Lancaster, David@Waterboards [David.Lancaster@Waterboards.ca.gov]; MacNicholl, Peter@DTSC [Peter.MacNicholl@dtsc.ca.gov]
Subject: RE: [EXTERNAL] Re: Area 40 FS Comments

I discussed the issues with my legal counsel late yesterday afternoon and he is going to get back to Larry. I will e-mail him to let him know the urgency. The only issue that came up yesterday was Chapter 15 that we have included in the State-only section. I believe it should remain there as 92-49 says that I must apply it to cleanups to the extent feasible and it could play in a part in Aerojet's bioremediation of perchlorate soils on Aerojet property – an option in the remedy.

Alex

From: Keller, Lynn [mailto:Keller.Lynn@epa.gov]
Sent: Friday, April 27, 2018 11:45 AM
To: MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>
Cc: Fennessy, Christopher <christopher.fennessy@Rocket.com>; MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>
Subject: Re: [EXTERNAL] Re: Area 40 FS Comments

Alex and Pete,

Your attorneys need to review Larry's comments and discuss with him in order to finalize the ARARs. I just talked to Larry and he hasn't heard back from either attorney. He emailed them both again today with issues they need to resolve together legally. The attorneys need to be on the same page with each other and negotiate final ARARs or what we can all agree to disagree on.

Thanks,

Lynn

Lynn Keller
Remedial Project Manager
EPA Region 9
415-947-4162

On Apr 27, 2018, at 09:18, MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov> wrote:

My legal counsel received an e-mail from Larry Bradfish yesterday about removing Chapter 15 from the list of ARARs as Chapter 15 deals with haz waste. I informed our attorney that 92-49 requires that cleanups meet the appropriate sections of Title 27 and Chapter 15 and that Aerojet may also construct waste piles for treatment of perchlorate-contaminated soils so that these need to remain in for the State RAP process at a minimum. When we finished discussing this yesterday at 5:00 he was going to e-mail Larry back with that being our position.

It is my contention that we divided the table per my suggestion, and concurred to by Larry, with the State-only ARARs clearly delineated (by State-only meaning those State ARARs that EPA may not necessarily agree with, but the State believes should be in there. All of the rest of the ARARs we were in agreement with and are listed first in each section.

Therefore, I have no problem with including the table as-is, unless EPA wishes to eliminate any federal ARARs. For the State RAP we need to show that which potential ARARs were considered when evaluating the proposed remedies.

Alex

From: Fennessy, Christopher [<mailto:christopher.fennessy@Rocket.com>]

Sent: Friday, April 27, 2018 8:57 AM

To: Keller, Lynn <Keller.Lynn@epa.gov>; MacNicholl, Peter@DTSC <Peter.MacNicholl@dtsc.ca.gov>; MacDonald, Alex@Waterboards <Alex.MacDonald@waterboards.ca.gov>

Subject: RE: [EXTERNAL] Re: Area 40 FS Comments

Hi Everyone – Based upon Lynn's e-mail below, I assume your teams are working on finalizing the ARARs? Does anyone need assistance in order to finalize these today? These are currently included in the RAP. In order to have the RAP in the repositories before Tuesday's start of public comment period, we need to have the RAP completed today so we can finish production. Alternatively, we can exclude from the RAP. Let me know how you want to proceed. Thanks, Chris

Christopher M. Fennessy, P.E.

Aerojet Rocketdyne, Inc.

Engineering Manager, Site Remediation

11260 Pyrites Way, Suite 125

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Email: Christopher.Fennessy@Rocket.com

From: Keller, Lynn [<mailto:Keller.Lynn@epa.gov>]

Sent: Thursday, April 26, 2018 11:08 AM

To: Fennessy, Christopher

Subject: Re: [EXTERNAL] Re: Area 40 FS Comments

Hi, Chris. Larry and I will have another round of ARAR comments out today. I'm in training this week and will try to finish FS comments late tomorrow afternoon; I'll finish them Sun if needed so you have the FS comments first thing Mon morning when you log in. Thanks for your patience,
Lynn

Lynn Keller
Remedial Project Manager
EPA Region 9
415-947-4162

On Apr 23, 2018, at 13:15, Fennessy, Christopher <christopher.fennessy@Rocket.com> wrote:

Hi Lynn – Just my weekly plea for FS comments =). Can you give me a new estimated delivery date? Thanks, Chris

Christopher M. Fennessy, P.E.
Aerojet Rocketdyne, Inc.
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11260 Pyrites Way, Suite 125
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Fax: 916-355-6145
Email: Christopher.Fennessy@Rocket.com

From: Keller, Lynn [<mailto:Keller.Lynn@epa.gov>]
Sent: Monday, April 09, 2018 5:41 AM
To: Fennessy, Christopher
Subject: [EXTERNAL] Re: Area 40 FS Comments

Hi, Chris. I tried to get them finished last week but was unable to. You'll have them this week though.

Thanks,
Lynn

Lynn Keller
Remedial Project Manager
EPA Region 9
415-947-4162

On Apr 7, 2018, at 14:14, Fennessy, Christopher
<christopher.fennessy@Rocket.com> wrote:

Lynn - What is EPA status on Area 40 FS comments? They were promised by yesterday. Chris

Sent with BlackBerry Work (www.blackberry.com)